

APPEAL NO. 031183
FILED JUNE 26, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 10, 2003. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury of _____, does not extend to or include injuries to the claimant's left shoulder or her thoracic spine. The claimant appealed based on sufficiency of the evidence grounds. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, does not extend to or include injuries to the claimant's left shoulder or her thoracic spine. Extent of injury is a question of fact for the hearing officer. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). In this instance, the hearing officer was not persuaded that the claimant sustained her burden of proving the causal connection between her compensable injury and the claimed injuries to her left shoulder and thoracic spine. The hearing officer was acting within his province as the fact finder in resolving this issue in favor of the carrier and nothing in our review of the record demonstrates that the hearing officer's determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The claimant argues on appeal that the hearing officer's Statement of Evidence is inaccurate as it pertains to the misspelling of the employer representative's name. We perceive any misspelling as a harmless typographical error. However, Carrier's Exhibit No. 1 reflects that the hearing officer's spelling was correct. Additionally, In Texas Workers' Compensation Commission Appeal No. 93791, decided October 18, 1993, the Appeals Panel held that the hearing officer was not required to recite the facts since the 1989 Act only requires findings of fact, conclusions of law, whether benefits are due, and an award of benefits due. A statement of evidence, if made, only needs to reasonably reflect the record. Our review of the record indicates that the Statement of the Evidence reasonably reflects the evidence in this case.

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **LIBERTY MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEMS
350 NORTH ST. PAUL, SUITE 2900
DALLAS, TEXAS 75201.**

Veronica Lopez-Ruberto
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Margaret L. Turner
Appeals Judge